

**STATE OF OKLAHOMA'S RESPONSE IN OPPOSITION TO
PETERSON FARMS, INC.'S MOTION IN LIMINE
REGARDING FORMER EMPLOYEES (Dkt. #2395)**

EXHIBIT 8

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

W. A. DREW EDMONDSON, in his)
capacity as ATTORNEY GENERAL)
OF THE STATE OF OKLAHOMA and)
OKLAHOMA SECRETARY OF THE)
ENVIRONMENT C. MILES TOLBERT,)
in his capacity as the)
TRUSTEE FOR NATURAL RESOURCES)
FOR THE STATE OF OKLAHOMA,)
Plaintiff,)
vs.) 4:05-CV-00329-TCK-SAJ
TYSON FOODS, INC., et al,)
Defendants.)

THE VIDEOTAPED DEPOSITION OF
DAN HENDERSON, produced as a witness on behalf of
the Plaintiff in the above styled and numbered
cause, taken on the 5th day of June, 2008, in the
City of Tulsa, County of Tulsa, State of Oklahoma,
before me, Lisa A. Steinmeyer, a Certified Shorthand
Reporter, duly certified under and by virtue of the
laws of the State of Oklahoma.

1 whether it was really the true reason that the
2 problems were cropping up in Oklahoma or not.

3 Q Did you take any steps to gather the
4 information so you could make a judgment on that?

5 A We started trying to learn more and more about 09:33AM
6 it and see if we could determine, you know, if there
7 was an issue that we needed to be involved in.

8 Q How did you go about doing that?

9 A We had folks working there. We were not big
10 enough to have a full-time environmental person, so 09:33AM
11 I think Ron Mullikin probably was the guy that kind
12 of spearheaded keeping an eye on all the
13 environmental matters we had to deal with, including
14 litter, and he tried to stay abreast on the latest
15 knowledge on that and what the latest thinking was. 09:33AM

16 Q What was his position with the company?

17 A I think Ron came to us as a trainer and had a
18 good ability to communicate with people and so we
19 got him involved in our grower training, too.

20 Q During your time as COO, did the company ever 09:34AM
21 develop a written policy with respect to how the
22 waste from its birds should be used or handled?

23 A I do not recall.

24 Q Did you ever get to the point during those --
25 your years as COO where you recognized that there 09:34AM

TULSA FREELANCE REPORTERS
918-587-2878

1 A Yes.

2 Q And you -- this was actually a document that
3 was assembled by the water quality consortium; is
4 that correct?

5 A That's what my letter says. I don't recall 10:45AM
6 that organization to tell you the truth.

7 Q Well, and -- but you went ahead or the company
8 went ahead and put their logo on this document;
9 right?

10 A Yes, sir. 10:45AM

11 Q And you, of course, wrote the letter that's
12 the second page and precedes the information in the
13 document?

14 A Yes.

15 Q And that was to ensure that the growers 10:45AM
16 understood that this was the word of Peterson?

17 MS. LONGWELL: Object to form.

18 Q Is that correct?

19 A Well, it was a guidebook developed by this
20 group. 10:46AM

21 Q That Peterson endorsed?

22 A Endorsed for best management practices, yes.

23 Q You signed this as president of Peterson
24 Farms. In doing something like this, would you have
25 had to consult with Mr. Evans? 10:46AM

TULSA FREELANCE REPORTERS
918-587-2878